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Chairman: Mr. LEHMANN (Denmark)

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The meeting was called to order at 10.25 a.m.

AGENDA ITEM 145: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued) (A/50/33, A/50/361 and A/50/403)

1. Mr. BAXTER (Australia) said that he welcomed the results achieved in 1995 by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. In particular, the proposal to delete the clauses referring to "enemy States" would serve as a basis for updating the Charter. His delegation also endorsed the recommendation that the Special Committee should be open to all Member States. The delegation of Guatemala had done fruitful work which had resulted in the adoption of the Model Rules for the Conciliation of Disputes between States, which was the most substantial outcome of the Special Committee's 1995 session.

2. Australia had followed with great interest the discussions held in the Working Group of the Special Committee with regard to assistance to third States affected by the application of sanctions under Chapter VII of the Charter. In that respect, it must be recalled that at the United Nations Congress on Public International Law, held in March 1995, the delegations of Australia and the Netherlands had presented a joint paper accompanied by a questionnaire on the implementation of sanctions, which had been distributed to the United Nations missions in New York. Several responses to the questionnaire had already been received.

3. With regard to the question of assistance to third States affected by the application of sanctions, the right balance must be found between, on the one hand, the need for the Security Council to retain maximum flexibility in designing and imposing sanctions in order to maintain international peace and security and, on the other hand, the need to minimize the secondary effects of sanctions. Important questions of principle had been raised during the debate: for example, whether the Security Council should be subject to procedural constraints when taking action under Chapter VII, or whether the actions taken by the Council should give rise to a right to compensation for those States which had suffered damage as a result of sanctions.

4. His delegation did not feel that the Special Committee's current mandate, which was concerned with the implementation of the provisions of the Charter relating to sanctions, could serve as the basis for resolving questions of principle such as those he had mentioned. On the contrary, the debate should focus on practical questions, such as what problems arose for States which were particularly affected by sanctions regimes and how existing practices and procedures might be improved to alleviate the difficulties of those States. The debates in the Special Committee on the Charter and the Working Group of the Sixth Committee had made it clear that the various sanctions regimes had given rise to problems for a number of States. The principal problem lay in the lack of adequate mechanisms that might be used by States to remedy the adverse economic effects which resulted from the imposition of sanctions on other States with which they maintained close economic relations. Furthermore, a number of delegations had noted problems of communication of information between the

Security Council and States specially affected by sanctions. Another problem was the lack of standards for measuring the economic damage incurred as a result of the implementation of sanctions.

5. The Security Council understood the concerns of specially affected States, as was seen by the fact that it had modified its procedures in order to improve the transparency of their operations and to facilitate their access by specially affected States. Furthermore, some international financial institutions, such as the International Monetary Fund, had significantly changed their policies in order to increase their assistance to specially affected States. However, more must be done. Some States felt that they were shouldering an inequitable share of the burden of individual sanctions regimes, whose ultimate goal was to ensure the maintenance of international peace and security for the benefit of all. All Member States must therefore work together and put in place procedures so that no State suffered unnecessary harm. Specially affected States must receive more information at all stages of the sanctions process (in other words, from their design to their review) so that they could address changes in trade flows which resulted from sanctions regimes. Such States needed more information on how the Security Council planned to implement sanctions and on the assistance which the Council might be able to provide and the form such assistance might take. The situation could be improved by refining the lines of communication between the Secretariat and specially affected States.

6. Some delegations had proposed that a trust fund should be established to assist specially affected States. His delegation had serious reservations about the trust fund proposal on the grounds of both cost and principle. The Charter of the United Nations did not authorize the creation of such a fund, since Article 50 referred only to the right of specially affected States to consult the Security Council. None the less, Australia understood the concerns expressed by specially affected States. It was therefore necessary to examine alternative approaches to improving the operation of existing mechanisms rather than creating new ones. In the course of the debates, there had been no proposal which satisfied both the delegations which supported the establishment of a trust fund and those which opposed it. The whole point of the debate was the fact that certain States were suffering harm as a result of the implementation of sanctions. It was therefore necessary to help them at once rather than hoping to achieve an unlikely consensus on more ambitious proposals. Such a hope could only entail costs for specially affected States. Moreover, it must be remembered that other forums were also considering the operation of sanctions regimes in a more general context; it was therefore important to avoid duplication and, in particular, any inconsistency of approach.

7. Mr. PATRONAS (Greece) said that his country was among those most affected by the implementation of sanctions under Chapter VII of the Charter. A solution must be found to the problems of third States affected under Article 50 of the Charter. The report of the Secretary-General contained in document A/50/361 contained proposals and suggestions which should be carefully examined. In particular, his delegation supported the ideas expressed in the report with regard to monitoring the effects of sanctions, the possibility of establishing a time-frame for their application and the adjustment of the sanctions regime to accommodate the needs of affected third countries. Economic assistance by international financial institutions was also of the greatest importance. In

that regard, one of the proposals in a recent letter dated 18 May 1995 from the Permanent Representatives of Bulgaria, Greece, the Republic of Moldova, Romania and Ukraine to the United Nations addressed to the Secretary-General (A/50/189-S/1995/412) had been to speed up the procedures for processing applications for transshipments and delivery of humanitarian aid by the relevant sanctions committee; to facilitate the access of companies from the affected countries in question to borders by United Nations humanitarian organizations for rendering humanitarian assistance to Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro); to allocate additional financial resources to the implementation of long-term transport infrastructure projects; to provide for additional measures or special assistance projects in the fields of telecommunications, energy, water supply and the environment, among others; and to increase technical assistance to, and analytical support of, the international financial institutions for the objective estimation of losses and their impact on the balance of payments of the affected countries.

8. There was no doubt that the question of sanctions was directly related to the non-implementation of Security Council resolutions, such as those regarding Cyprus. That had always been a problem; however, it must be rectified immediately now that the United Nations was assuming an increasingly important role in internal relations.

9. His delegation attached great importance to the fundamental principle of the peaceful settlement of disputes between States and firmly believed that the international community should continue in its efforts in that regard. To that end, Greece had recently made a declaration regarding the compulsory jurisdiction of the International Court of Justice under article 36, paragraph 2, of the Statute of the Court. Greece had also ratified the Convention on Conciliation and Arbitration concluded in 1992 within the framework of the Organization for Security and Cooperation in Europe.

10. Greece supported the draft United Nations Model Rules for the Conciliation of Disputes between States submitted by Guatemala but regretted that the draft did not provide a concrete legal basis for the commission of conciliators to use in drawing up its recommendations. Furthermore, document A/50/403 contained a detailed commentary and clarification of the Dispute Settlement Service offering or responding with its services early in disputes, which had been proposed by Sierra Leone and which would facilitate the work of the Special Committee.

11. Mr. HAMID (Pakistan) said that the capacity of the United Nations to fulfil its primary objective of maintaining international peace depended primarily on the attitude of Member States towards complying with their legal obligations under the Charter. His country, which did not favour any radical changes in the Charter, was aware that global transformations in recent years called for some reform in the Charter, in accordance with the mechanism provided under Article 108. Thus, because the number of States Members of the United Nations had increased, the number of members of the Security Council should also be increased. While such an increase must be based on the principle of equitable geographical distribution, new members should not be accorded permanent or semi-permanent status, as that would be at variance with the principle of sovereign equality. The current existence of permanent members already

constituted an inequity; reinforcing it could only create new centres of power and privilege within the United Nations.

12. His country endorsed the amendment to the Charter proposed by Poland and endorsed by the Special Committee under which the "enemy State" clauses in Articles 53, 77 and 107 would be deleted.

13. His delegation endorsed the Special Committee's recommendation to submit the draft United Nations Model Rules for the Conciliation of Disputes between States, introduced by Guatemala, to the General Assembly to be annexed to a resolution or decision. The Model Rules, which were flexible and non-binding, would provide an additional mechanism for the peaceful settlement of disputes between States.

14. Pakistan was one of the countries most affected by the application of sanctions under Chapter VII of the Charter. If States remained without compensation for their losses, they might later find it difficult to give full effect to Security Council decisions. At the same time, his delegation was in favour of reviewing each case individually in order to determine the specific economic problems faced by each country.

15. He endorsed the Special Committee's recommendation, contained in paragraph 67 of its report, that the Committee should in future be open to all States Members of the United Nations. However, it did not agree with the proposal that the Committee's decisions must be adopted by consensus, as that might paralyse the work of the United Nations. That system was one reason why the League of Nations had failed to take effective measures for the maintenance of international peace and security.

16. The rule of law in international relations should be promoted by greater recourse to the International Court of Justice for adjudication of disputes between States or advisory opinions on the legal aspects of such disputes. States which had not yet done so should be encouraged to accept the compulsory jurisdiction of the Court.

17. Mr. ABDUL HALIM (India) said that the question of assistance to third States affected by the application of sanctions under Chapter VII of the Charter had assumed particular importance in the post-cold-war era owing to the frequent use of sanctions and their duration. Experience had shown that economic embargoes and trade sanctions gave rise to undesirable consequences for third States and, in particular, for developing countries. Moreover, doubts had been raised as to the efficacy of sanctions as a policy instrument. The Security Council must take the necessary action to counteract the effects of sanctions on third States. In his view, the United Nations should adopt a general policy in that regard, based on the following premises: assistance to third States affected by the application of sanctions was a legal obligation under the Charter and, as such, must be considered as an integral part of any sanctions regime; the United Nations must establish appropriate mechanisms and provide financial resources to offset the impact and consequences of sanctions on third States affected by their application; assistance should be provided automatically so that the consequences of economic sanctions could be predicted; the Security Council should establish a funding mechanism financed from assessed

and voluntary contributions to provide assistance to affected States; the United Nations should have the core responsibility for assisting States affected by the application of sanctions in accordance with Article 50 of the Charter; and regular consultations should be held between affected States and the Security Council for the purpose of dealing with the adverse consequences of sanctions for those States. For that reason it was important to assess properly the conseqences of sanctions before and during their imposition. Furthermore, assistance from international financial institutions, bilateral sources and other donors could not be a substitute for United Nations assistance.

18. Conciliation, like the use of good offices and mediation, must be flexible and voluntary. The proposed United Nations Model Rules for the Conciliation of Disputes between States would therefore serve as another optional dispute settlement mechanism to which States could have recourse. In order to avoid any duplication of dispute settlement mechanisms, it was important to have more precise details regarding the proposal submitted by Sierra Leone entitled "Establishment of a Dispute Settlement Service offering or responding with its services early in disputes", which provided for the establishment of a board of administrators. It was also important to determine whether the proposal would contribute significantly to United Nations efforts in that area.

19. His delegation attached importance to the question of deleting the "enemy State" clauses from the Charter, given that those States were active participants in the Organization and maintained close and friendly relations with India.

20. As a State Member of the United Nations and a member of the Special Committee on the Charter, his country welcomed the recommendation that the Special Committee should be open in future to all States Members of the United Nations since all bodies in the system needed to be more transparent, democratic and representative. His delegation also endorsed the recommendation that the Committee should continue to operate on the basis of consensus.

21. Mr. KULYK (Ukraine) said that because increasingly frequent use was being made of the sanctions provided for under Chapter VII of the Charter, the problem of the adverse economic consequences of sanctions had acquired a new dimension. As a responsible Member of the United Nations, his country had always complied fully with the sanctions imposed by the Security Council. At the same time, however, it found unacceptable the fact that, as things stood, the consequences of sanctions were suffered primarily by States which bordered on or had close economic ties with the sanctioned State. That situation might lead to a loss of confidence in the institution of sanctions.

22. The question of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter was of great importance to many States. Article 50 of the Charter did not provide any solution, owing to the absence of a mechanism for implementation. Nor was it enough to recognize that a problem existed: concrete proposals must be elaborated. In that connection, his country supported the proposals to establish a mechanism to provide assistance to third States. Such a mechanism could include consultations under Article 50 of the Charter between the Security Council and potentially affected third States; a

preliminary assessment of sanctions before imposing them and an estimation of their consequences, so that the Security Council could impose the most effective sanctions possible against the target State and reduce to a minimum any collateral damage; consideration, on a case-by-case basis, of the possibility of introducing exceptions under the sanctions regime provided that they did not run counter to its purpose; and an analysis of the predictable consequences for third States. Advance consultation with an early warning of third States which might be affected by sanctions could increase the effectiveness of those sanctions. The mechanism might include a number of other ideas, such as methods of work and capabilities of the Secretariat and the sanctions committees, taking into account the entire range of problems associated with the imposition of sanctions.

23. International financial institutions could also play a useful role because they had the resources to provide assistance to affected States. Those institutions should consider the possibility of establishing a mechanism to assist affected third States, which should include a system of consultation and substantive measures, on a stand-by basis, if possible. Other measures worthy of consideration were the opening of lines of credit by international financial institutions, more rapid access to compensatory credits, increased or accelerated disbursement from existing loans or credits and the use of coordination mechanisms.

24. Ukraine considered that special attention should be attached to the proposals to mobilize other possibilities in order to protect the economic interests of third States, especially those which did not require additional funding from the international donor community. Some of those possibilities were: introduction of special trade preferences on a temporary basis, allocation to the affected States of some of the import quotas that had previously been assigned to the target States, and promotion of private foreign investments to the affected countries. The imposing of sanctions in accordance with Chapter VII of the Charter might serve as a trigger mechanism for the beginning of consultations between the States concerned and relevant international authorities about the possible ways of implementing those measures.

25. The issue was a complicated one, and an effective solution would show States' commitment to the principles of the Charter and would therefore reinforce the Organization's authority. Ukraine shared the view that the time had come to delete the "enemy State" clauses from the Charter and welcomed the recommendation of the Special Committee in that regard.

26. Ukraine was also pleased with the conclusion of the work on the Model Rules for the Conciliation of Disputes between States. Such rules would be a flexible, non-binding and effective instrument and a useful addition to existing arrangements.

27. Ukraine fully supported the transformation of the Charter Committee into an open-ended body, which would promote better utilization of opportunities in finding solutions to the issues covered by its mandate.

28. Mr. TÜRK (Slovenia) said that the Special Committee had concluded its work on the United Nations Model Rules for the Conciliation of Disputes between States. The model retained the flexibility needed in a method based on the idea of an amicable settlement. After pointing out some of the main characteristics of the model, particularly articles 7, 20-24, 27 and 28, he said that Slovenia endorsed the Special Committee's recommendation and he expressed the hope that new life would thus be given to that method of settlement of disputes which had hitherto attracted only modest attention.

29. Sierra Leone's proposal on the establishment of a Dispute Settlement Service offering or responding with its services early in disputes merited further study, since conflict prevention was obviously of primary importance. It was clear that the General Assembly had not done enough in the field of prevention of conflicts or peaceful adjustment of situations which were likely to impair the general welfare of nations or friendly relations among them. That was not due to a lack of powers on the part of the General Assembly since, quite to the contrary, Article 14 of the Charter provided the Assembly with the authority to recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deemed likely to impair the general welfare or friendly relations among nations. Often Member States underestimated emerging situations of conflict or, for reasons of short-term convenience, decided not to deal with them. Such situations often also included aspects which, in the eyes of the Government concerned, were essentially within its domestic jurisdiction. Those were important issues since, in order for a situation to be considered a dispute, it must be, at least to a minimum degree, recognized as such and there had to be a minimum of readiness on the part of the State or States involved to accept an initiative by the United Nations.

30. With those problems in mind, the General Assembly, in resolution 47/120 B of 20 September 1993, had decided to consider the use of existing machinery or new machinery, including subsidiary organs under Article 22 of the Charter, to facilitate consideration of any situation coming within the scope of Article 14 of the Charter. It had been expected that further discussions on preventive diplomacy would provide insight into what could actually be done. Unfortunately, discussions were essentially at the same point as they had been in 1993. A quick reading of the proposal showed that, in order to establish a satisfactory non-redundant mechanism, a substantial amount of additional work would be necessary. First, the political nature of Article 14 must be kept in mind, and so good offices, mediation and General Assembly recommendations would seem to be appropriate responses in addressing those situations. Second, any institutional mechanism for dealing with such situations should be tied to the General Assembly, which would make it easier to avoid duplication. Of course, the provisions of Article 12 would always have to be respected. Slovenia was prepared to participate in establishing such a dispute settlement service.

31. The question of the effects of sanctions imposed under Chapter VII of the Charter was being discussed in two different working groups, which could be cause for concern. On the other hand, it was important that the discussion in both working groups focused on possible practical improvements within the United Nations system.

32. One of the possible improvements could be the preparation by the Secretariat, prior to Security Council decisions on new sanctions, of an assessment of the effects of proposed sanctions on third States. That would help the Security Council adopt a truly informed decision. The actual effects of sanctions prepared in such a manner would be more likely to influence the behaviour of the target State, while the adverse effects on third States would be reduced. To that end, perhaps it would be useful to create a "focal point" as suggested by France several days before.

33. One of the most important achievements of the latest session of the Charter Committee had been its recommendation to delete the "enemy State" clauses from the Charter. Slovenia hoped that work on reform of the Security Council would be successful and would provide an appropriate and early occasion for the necessary revision of the Charter.

34. Revision of the Charter must be undertaken in a responsible and open-minded manner. Other provisions that had become obsolete were those relative to the Trusteeship Council, which should also be deleted. Future situations which might arise requiring involvement of the United Nations in something resembling international trusteeship should be considered on a case-by-case basis.

35. On the other hand, it would be appropriate to consider Malta's proposal concerning a trusteeship for the common heritage of mankind, which would be different in nature from the United Nations original trusteeship responsibilities. A new principal organ of the United Nations would be required, with a name similar to the Trusteeship Council, but with new powers and functions.

36. The proposal for transformation of the Charter Committee into an open-ended organ was timely and wise. Slovenia had been among those who had pleaded for such a transformation at the forty-ninth session of the General Assembly and was pleased to see that such a change was likely.

37. Mr. SYARGEEU (Belarus) noted with satisfaction that the United Nations had made clear its right to act as a universal instrument in the resolution of problems of a global nature. International events had also underlined the need to make the maintenance of international peace and security and the settlement of disputes between States more efficient. It was therefore necessary that the Special Committee put forth proposals for new, flexible approaches which would enable the United Nations to play a decisive role in that area.

38. Belarus recognized the urgent nature of the problem of the negative economic effects on third States of sanctions imposed by the Security Council pursuant to Chapter VII of the Charter. The number of countries bearing an intolerable economic burden grew with each passing year. Unquestionably, the creation of a permanent mechanism would provide States with an incentive to fulfil their obligations and would therefore strengthen international stability. Given the complexity and seriousness of the negative effects of sanctions, the issue must be addressed in a wide-ranging manner and there must be an impartial analysis of proposals related to the imposition of sanctions. The issue also had a political dimension since it prevented progress in international relations and kept sanctions imposed by the Security Council from having more authority.

The Security Council must be more flexible in fulfilling its mandate concerning sanctions. It was indispensable to create conditions which would allow the Council to act efficiently and effectively in maintaining international peace and security. At the same time, the permanent mechanism should anticipate the possible adverse economic consequences of its acts. Such an analysis should be carried out before the decision was taken to impose sanctions.

39. Belarus considered that a clear procedure should be established for holding consultations before and after the imposition of sanctions. Such a mechanism could also fulfil a preventive role. The ideas relating to strengthening international financial institutions, preparing a uniform methodology for the evaluation of damage and offering assistance through third States also deserved attention. Belarus shared the views expressed in the Sixth Committee regarding finding means to compensate for damages suffered which would give third States guarantees, even before sanctions were imposed, on the nature and extent of the assistance to which they might be entitled. Bilateral assistance also deserved consideration in the context of partial compensation.

40. The possibility of strengthening and improving cooperation between the United Nations and regional organizations with a view to maintaining international peace and security should be supported. Given the large number of conflicts throughout the world and the limited resources available to the United Nations, regional organizations had an important role to play in preventive diplomacy and the establishment and maintenance of peace. For geographic reasons, regional organizations had access to more comprehensive information on the reasons for and salient features of conflicts and stood a better chance of solving them at an early stage. Such inter-institutional cooperation should be complementary and should be carried out in accordance with the purposes and principles of the Charter. The general discretionary powers of the Security Council, the special characteristics of the regional organizations and agreements and the expediency of using them in a specific situation should be taken into account.

41. He commended the draft United Nations Model Rules for the Conciliation of Disputes between States. Adoption of the Rules would make it possible to implement more fully the potential of the United Nations, which was the most suitable forum for applying such a procedure. Belarus endorsed the recommendation that the draft should be approved by the General Assembly.

42. Belarus agreed that the procedure set out in Article 108 of the Charter should be set in motion in order to delete from Articles 53, 77 and 107 the clauses referring to "enemy States", since that was an obsolete concept.

43. He also supported the view that the Special Committee should become an open-ended body, on the understanding that its work would be conducted on a consensus basis.

44. International relations had reached a new level, serving as a catalyst for improving the role of the United Nations and other international organizations in the maintenance of international peace and security and the settlement of disputes between States. To that end, the full range of options offered by the

Charter should be used more effectively and international cooperation should be increased.

45. Mr. POLITI (Italy), referring to the question of implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions, said that he fully concurred with the views expressed by the representative of Spain on behalf of the European Union; he agreed that every effort should be made to find equitable and practical solutions to the problems encountered by States indirectly affected by sanctions. In that regard, the draft resolution submitted by the European Union proposed mechanisms and instruments that could provide a concrete solution to the problem.

46. He endorsed the proposal that the General Assembly should adopt, at the current session, the text of the United Nations Model Rules for the Conciliation of Disputes between States, which would be a valuable instrument for States in applying conciliation procedures for settling political and legal disputes. He also looked forward to the Committee's further consideration of the proposal for the establishment of a dispute settlement service, and welcomed the detailed commentary and clarification of the proposal recently submitted by the delegation of Sierra Leone.

47. It was recommended in paragraph 65 of the Special Committee's report (A/50/33), that the General Assembly should adopt the draft resolution on the deletion of the "enemy State" clauses of the Charter. The adoption of that resolution would set the basis for a quick process of amendment of the Charter allowing for the elimination of provisions that had become totally obsolete. In that regard, he shared the view recently expressed by the representative of Portugal that action on deleting the "enemy State" clauses should not be delayed in anticipation of a broader reform of the Charter.

48. Lastly, he welcomed the recommendation that the Special Committee should be open to all States Members of the United Nations and that it should continue to operate on the basis of consensus. Italy, which had been a member of the Special Committee since its establishment in 1975, was strongly in favour of increasing democracy within the United Nations; making the Special Committee an open-ended body would be an important step in that direction. Full participation of all Member States in the work and deliberations of the Special Committee could only enhance its capacity to fulfil its mandate.

49. Mrs. CUETO (Cuba), speaking on the question of implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, said that the Committee should continue to consider the issue on a priority basis, since the absence of legal rules prevented the Organization from responding effectively to the valid concerns of the increasingly growing number of third States which were affected by the imposition of sanctions by the Security Council. Her delegation agreed that it was necessary to seek a practical and equitable solution to the economic problems confronting third States as a result of the imposition of preventive or coercive measures by the Security Council. To that end, it was essential that an appropriate, practical and effective mechanism should be established that was compatible with the

principles of sovereignty and the consent of States and that was not subjected to any type of conditionality.

50. With respect to the peaceful settlement of disputes between States, Cuba had always expressed a preference for direct negotiation, although it did not underestimate either the importance or the effectiveness that other existing mechanisms of international law had demonstrated in specific circumstances. In that regard, she considered that the draft United Nations Model Rules for the Conciliation of Disputes between States might become an appropriate document, provided that it did not have binding force and was based on the consent of States. Such conditions should be formulated in the resolution for formal adoption of the draft Model Rules, which could be appended as an annex to the Handbook on the Peaceful Settlement of Disputes between States. While the proposal on the establishment of a Dispute Settlement Service offering or responding with its services early in disputes reflected some progress in the work and deliberations of the Sixth Committee on the issue, it should be studied in depth in the light of the basic principles of respect for sovereignty, non-interference in the internal affairs of States and the consent of States.

51. Turning to the composition of the Special Committee, she said that Cuba supported the full participation of all States in its work, since it considered that both the Charter and the work of the Organization were the common heritage of all Member States.

52. Lastly, she pointed out that, however valid the financial concerns of the delegations which favoured rationalization, new solutions should be proposed to meet existing challenges before rationalization of the work of the Special Committee and its sessions was considered.

53. Mrs. FERNÁNDEZ de GURMENDI (Argentina) said that the efficient work carried out by the Special Committee in just two weeks on two issues which were technically and politically very complex was proof that the proposal to shorten the duration of its sessions was well-founded.

54. Furthermore, she expressed her satisfaction at the completion of the work on the United Nations Model Rules for the Conciliation of Disputes between States and the hope that they would be adopted by means of a resolution.

55. The Special Committee had managed, after sensitive negotiations, to formulate a recommendation for the deletion of the "enemy State" clauses of the Charter. Argentina had actively supported the deletion of those obsolete clauses and hoped that the Special Committee's recommendation proposing a balanced solution for the elimination of the clauses would be adopted by consensus in the Sixth Committee.

56. Turning to the subject of third States affected by the application of sanction imposed by the Security Council, she expressed the hope that the discussions in the Working Group would lead to concrete measures reflected in a resolution.

57. Lastly, she felt that the nature of the issues dealt with by the Special Committee was, by definition, of interest to all Member States, which should be

able to participate on an equal basis not only in the discussions but also in the adoption of decisions. She therefore hoped that, during the current session, the Special Committee would finally be opened up to all States Members of the United Nations without exceptions or exclusions.

The meeting rose at 11.55 a.m.